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Dated: February 8, 2005

Signature:

*Elsa J. Michaud*  
(Elsa J. Michaud)

Docket No.: 101896-0283  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Sean P. Selover et al.

Application No.: 10/711,704

Confirmation No.: 5703

Filed: September 30, 2004

Art Unit: 3731

For: METHODS AND DEVICES FOR  
MINIMALLY INVASIVE SPINAL  
FIXATION ELEMENT PLACEMENT

Examiner: Not Yet Assigned

**INFORMATION DISCLOSURE STATEMENT (IDS)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby cite for the record in this application the documents listed on the attached PTO Form SB/08A. In accordance with 37 CFR §1.98(d), copies of the references are not submitted herewith insofar as they are all believed to be in the Examiner's file already. The references were previously cited in United States Patent Application No. 10/738,130 filed on December 16, 2003 and relied upon in this application for an earlier filing date under 35 U.S.C. 120.

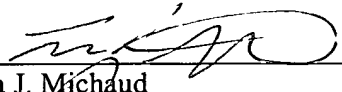
It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

While the information and references disclosed in this Information Disclosure Statement may be "material" pursuant to 37 CFR 1.56, it is not intended to constitute an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)), and thus no fees are believed to be due. However, the Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 141449, under Order No. 101896-0283.

Dated: February 8, 2005

Respectfully submitted,

By   
Lisa J. Michaud  
Registration No.: 44,238

NUTTER MCCLENNEN & FISH LLP  
World Trade Center West  
155 Seaport Boulevard  
Boston, Massachusetts 02210-2604  
(617) 439-2000  
(617) 310-9000 (Fax)  
Attorney for Applicant



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

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|   |   |    |   | Application Number       | 10/711,704-Conf. #5703 |
|   |   |    |   | Filing Date              | September 30, 2004     |
|   |   |    |   | First Named Inventor     | Sean P. Selover        |
|   |   |    |   | Art Unit                 | 3731                   |
|   |   |    |   | Examiner Name            | Not Yet Assigned       |
| Sheet   | 1 | of | 2 | Attorney Docket Number   | 101896-0283            |

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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbol as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language translation is attached.

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|   |   |    |   | Examiner Name            | Not Yet Assigned       |
| Sheet   | 2 | of | 2 | Attorney Docket Number   | 101896-0283            |

| NON PATENT LITERATURE DOCUMENTS |                          |   |                |
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| Examiner<br>Initials            | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
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